

determined that no loss has occurred and the crop is insurable in accordance with the policy and written agreement provisions.

Signed in Washington, D.C., on July 21, 1997.

Kenneth D. Ackerman,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 97-19631 Filed 7-24-97; 8:45 am]

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DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 301

[INS No. 1736-95]

RIN 1115-AE19

Acquisition of Citizenship; Equal Treatment of Women in Conferring Citizenship on Children Born Abroad

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule amends the Immigration and Naturalization Service (Service) regulations relating to procedures for certain United States citizen women to confer citizenship on their children born outside of the United States before noon (Eastern Standard Time) May 24, 1934. The purpose of this rule is to ensure that all women receive equal treatment under laws relating to nationality. This rule allows for the issuance of certificates of citizenship to certain foreign-born children previously ineligible to acquire citizenship from United States citizen mothers.

DATES: This rule is effective August 25, 1997.

FOR FURTHER INFORMATION CONTACT: Jane B. Barker, Adjudications Officer, Benefits Branch, Immigration and Naturalization Service, 425 I Street, NW., Room 3214, Washington, DC 20536, telephone (202) 514-5014.

SUPPLEMENTARY INFORMATION: On July 5, 1996, at 61 FR 35111, the Immigration and Naturalization Service published an interim rule with request for comments to amend Service regulations by adding a new part 301. This was necessary to implement section 101(a)(2) of the Immigration and Nationality Technical Corrections Act of 1994 (INTCA), Public Law 103-416, which amended the Immigration and Nationality Act (Act) by adding new section 301(h). Section 301(h) permits certain United States citizen women to confer citizenship on

their children born outside of the United States before noon (Eastern Standard Time) May 24, 1934. Persons qualifying for citizenship under section 301(h) are considered citizens of the United States from birth and are not subject to any provisions of law that provided for loss of citizenship or nationality (including section 301(b) of the Act (as in effect before October 10, 1978) and the provisions of section 201(g) of the Nationality Act of 1940) if they failed to come to, reside, or be physically present in the United States. Section 301(h) also provides that for purposes of transmission of citizenship, any person who acquires United States citizenship under section 301(h) must meet applicable residence/physical presence requirements in order to transmit citizenship to their children born abroad. Finally section 301(h) has no effect on the validity of the citizenship of anyone who obtained United States citizenship under section 1993 of the Revised Statutes (as in effect before the enactment of the Act of May 24, 1934, 48 Stat. 797) and does not confer citizenship, nor have any effect on the validity of any denaturalization, deportation, or exclusion action against any person who is or was excludable from the United States for participation in Nazi persecution or genocide, or who was excluded from, or who would not have been eligible for admission to the United States under the Displaced Persons Act of 1948 or under section 14 of the Refugee Relief Act of 1953.

The interim rule outlined the application procedures and specific documentary requirements that applicants must satisfy in order to establish their claim to citizenship under 8 CFR part 301. The interim rule also provided procedures for processing such applications within the United States and abroad.

On August 27, 1996, at 61 FR 43948, the Service published a correction to the interim rule removing the requirement to take the oath of allegiance before any diplomatic or consular officer of the United States, since the Department of State does not require the oath of allegiance in connection with its adjudication of passport applications and issuance of passports.

Interested parties were invited to submit written comments to the interim rule by September 3, 1996.

Discussion of Comments on Interim Rule

Two commenters were concerned that the wording of the interim rule implies that the person is not a United States citizen prior to the approval of the application for a Certificate of

Citizenship (Form N-600), which is contrary to section 301 of the Act which states that "The following shall be nationals and citizens of the United States at birth." The Service notes this error and has amended § 301.1 accordingly.

One commenter noted that the word "adoption" should be deleted in reference to the supporting documentation mentioned in 8 CFR 301.1(a) because section 301(h) does not include adopted children and only covers natural-born children. The Service agrees and has removed the word "adoption" from § 301.1(a)(1).

One commenter noted that a person residing in the United States who is a United States citizen pursuant to section 301(h) is also able to document his or her citizenship by applying for a United States passport in addition to or in place of applying for a Certificate of Citizenship with the Service. The Service agrees and has amended § 301.1(a) to reflect this option.

One commenter noted that 8 CFR 301.1(b)(2) is redundant and should be removed. The Service agrees that, after the corrections to this section were made on August 27, 1996, paragraph (b)(2) became duplicative. Accordingly, the Service has removed paragraph (b)(2) in the final rule.

Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that the rule will not have a significant economic effect on a substantial number of small entities because of the following factors. This rule provides procedures for certain United States citizen women to confer citizenship on their children born outside of the United States before May 24, 1934. The affected parties are not small entities, and the effect of the regulation is not an economic one.

Executive Order 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, to be a "significant regulatory action" under Executive Order 12866, section 3(f), Regulatory Planning and Review, and the Office of Management and Budget has waived its review process under section 6(a)(3)(A).

Executive Order 12612

This regulation will not have substantial direct effects on the States, on the relationship between the National Government and the States, or

on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Act of 1996. This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Executive Order 12988

This rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of E.O. 12988.

Paperwork Reduction Act

This rule does not impose any new reporting or recordkeeping requirements. The information collection (Form N-600) was previously cleared by the Office of Management and Budget under the provisions of the Paperwork Reduction Act. The OMB clearance number for this collection is 1115-0018.

List of Subjects in 8 CFR Part 301

Citizenship and naturalization.

Accordingly, the interim rule adding 8 CFR part 301 which was published at 61 FR 35111 on July 5, 1996, is adopted as a final rule with the following changes:

PART 301—NATIONALS AND CITIZENS OF THE UNITED STATES AT BIRTH

1. The authority citation for part 301 continues to read as follows:

Authority: 8 U.S.C. 1103, 1401; 8 CFR part 2.

2. Section 301.1 is revised to read as follows:

§ 301.1 Procedures.

(a) *Application.* (1) A person residing in the United States who desires to be documented as a United States citizen pursuant to section 301(h) of the Act may apply for a passport at a United States passport agency or may submit an application on Form N-600, Application for Certificate of Citizenship, to the Service, as provided in 8 CFR part 341. Such application shall be filed with the Service office having jurisdiction over the applicant's place of residence, or with such other Service office as the Commissioner may designate. It must be accompanied by the fee specified in 8 CFR 103.7(b)(1). The application also must be accompanied by supporting documentary and other evidence essential to establish the claimed citizenship, such as birth, marriage, death, and divorce certificates. The applicant will be notified in writing when and where to appear before a Service officer for examination of his or her application.

(2) A person residing outside of the United States who desires to be documented as a United States citizen under section 301(h) of the Act shall make his or her claim at a United States embassy or consulate, in accordance with such regulations as may be prescribed in the Secretary of State.

(b) *Oath of allegiance; issuance of certificate.* Upon determination by the district director that a person is a United States citizen pursuant to section 301(h) of the Act, the person shall take the oath of allegiance, prescribed in 8 CFR part 337, before an officer of the Service designated to administer the oath of allegiance within the United States, and a certificate of citizenship shall be issued. The person shall be considered a United States citizen as of the date of his or her birth.

Dated: June 10, 1997.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-CE-60-AD; Amendment 39-10087; AD 97-15-13]

RIN 2120-AA64

Airworthiness Directives; Raytheon Aircraft Company (Formerly Beech Aircraft Corporation) Models 1900, 1900C, and 1900D Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Raytheon Aircraft Company (Raytheon) Models 1900, 1900C, and 1900D airplanes (formerly referred to as Beech Models 1900, 1900C, and 1900D airplanes). This action requires installing lubrication fittings in the airstair door handle and latch housing mechanisms. The AD results from reports of the airstair door not opening because the door was frozen shut. The actions specified by this AD are intended to prevent moisture from accumulating and freezing in the airstair door handle and latch housing, which could result in the door freezing shut and passengers not being able to evacuate the airplane in an emergency situation.

DATES: Effective September 5, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of September 5, 1997.

ADDRESSES: Service information that applies to this AD may be obtained from the Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-60-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the **Federal Register**, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Steven E. Potter, Aerospace Safety Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4124; facsimile (316) 946-4407.